

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 22, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bernie Heier
Larry Hudkins
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Diane Staab, Deputy County Attorney
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 15, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Steinman moved and Heier seconded approval of the minutes of June 15, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 4 additions and deductions to the tax assessment rolls per Exhibit "A". (19991219) (19991218)

MOTION: Workman moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Goodwill Industries Serving Southeast Nebraska, Inc
Nebraska SPF Swine Accrediting Agency, Inc
Saint Elizabeth Regional Medical Center
St. Teresa Church**

MOTION: Steinman moved and Hudkins seconded approval of motor vehicle tax exemptions for Goodwill Industries Serving Southeast Nebraska, Inc., Nebraska SPF Swine Accrediting Agency, Inc. and Saint Elizabeth Regional Medical Center and to also approve a motor vehicle tax exemption for St. Teresa Church subject to the applicant registering and titling the vehicle(s). On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

Norm Agena, County Assessor, updated the County Board regarding personal property filings. He stated he visited with the Secretary of State who said they could provide the Assessor's Office with a listing of trade name registrations and filings of new corporations within Lancaster County. Agena said that his office may want to develop a brochure which the Secretary of State could distribute when individuals file for a trade name or incorporate explaining that a Nebraska Personal Property Return must be filed with the Assessor's Office.

The Chair recessed the Board of Equalization meeting and it was reconvened at 2:10 p.m.

4) **APPEALS FILED ON PERSONAL PROPERTY FOR TAX YEAR 1999:**

Pfizer, Inc (3 appeals)
(19991096)

Michael Schleich, attorney representing Pfizer, appeared and stated their argument remains the same as in previous years.

Norm Agena, County Assessor, recommended denial of the appeals (Property Identification Numbers: P009125-01, P009126-01 and P042069-01) based on the County Attorney's opinion.

MOTION: Steinman moved and Heier seconded to accept the Assessor's recommendation and deny three appeals filed on personal property for tax year 1999 from Pfizer, Inc., based on an opinion from the County Attorney (Property Identification numbers: P009125-01, P009126-01 and P042069-01).

Heier noted for the record that he owns stock in Pfizer, Inc.

ROLL CALL: Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Heier moved and Steinman seconded to adjourn the Board of Equalization meeting. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk

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MOTION: Hudkins moved and Steinman seconded approval of the minutes of June 15, 1999. On call Campbell, Hudkins, Heier and Steinman voted aye. Workman abstained. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 22, 1999.**

MOTION: Workman moved and Heier seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

County Final Plat 98042, requested by Lyle Loth of ESP on behalf of Ronald and Judeen Oelling, for ten residential lots and one outlot for agricultural use, on property located on the northwest corner of Southwest 29th Street and West Roca Road/Nebraska Highway 33 in Lancaster County, Nebraska. Resolution and Subdivision Agreement. (19991097) (19991233) (19991235)

The Chair opened the public hearing and asked if anyone wished to testify in favor, in opposition or in a neutral position to the final plat.

No one appeared and the public hearing was closed.

MOTION: Steinman moved and Hudkins seconded approval of Resolution 99-1233.

The Chair noted there should be a separate motion on the subdivision agreement.

In response to a question asked by Heier, Mike DeKalb, Planning Department, suggested that a memo from the County Board be sent to the owner requesting that a condition be considered in their covenants that no junk vehicles be allowed.

Campbell stated she would work with Kerry Eagan, Chief Administrative Officer, in drafting a letter to the owner regarding such a condition.

ROLL CALL: Steinman, Workman, Heier, Campbell and Hudkins voted aye.
Motion carried.

6) **EMERGENCY ITEMS AND OTHER BUSINESS:**

The Chair noted there was a request to move Item 6 (Emergency Items and Other Business) forward due to time constraints.

Bob VanValkenburg, 7921 Reno Road, appeared and addressed the following concerns:

- * Four of five program managers at the Community Mental Health Center (CMHC) are members of the Psycho-Therapy Associates
- * Possibility of full-time County employees at CMHC also operating private practices

Campbell stated the County Board will review the situation.

4) **NEW BUSINESS:**

- A. An agreement with the City of Waverly for law enforcement services provided by the Sheriff's Office beginning July 1, 1999 and ending June 30, 2000, for a total amount of \$85,864.52. (19991164)**

MOTION: Steinman moved and Heier seconded approval. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

- B. An agreement with Ugai and Lindgren to provide legal services to defendants in child support contempt actions and paternity cases, beginning July 1, 1999 and ending June 30, 2002, at a monthly fee of \$5,600. (19991184)**

MOTION: Hudkins moved and Steinman seconded approval. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

- C. Referee agreements with the following for the 1999 Lancaster County Board of Equalization real estate valuation protests:**

Great Plains Appraisal, Inc (19991185)	\$25 to \$75/hour
Robert W Anderson (19991186)	\$60/hour
Mike Brinkman (19991187)	\$58/hour
Jon Charles Fritz (19991188)	\$70/hour

George W Hancock (19991189)	\$85/hour
Stephan R Hanks (19991190)	\$75/hour
Mona Kubert (19991191)	\$50/hour
John R Layman (19991192)	\$75/hour
Tim S Leutz (19991193)	\$60/hour
Daniel D McKenzie (19991194)	\$55/hour
John E McVay (19991195)	\$65/hour
Robert A Mook (19991196)	\$75/hour
Stan Portsche (19991197)	\$65/hour
Barbara J Ramm (19991198)	\$60/hour
Larry G Swanson (19991199)	\$75/hour
John Sullivan (19991200)	\$55/hour
Marilyn Tabor (19991201)	\$55/hour
Gregg Trautman (19991202)	\$50/hour
Sally A Webster (19991203)	\$60/hour
Randall B Wilcox (19991204)	\$65/hour
Matthew J Wilson (19991205)	\$75/hour
Larry Wrasse (19991206)	\$55/hour
Marc Wullschleger (19991207)	\$60/hour
Bill Lange (19991208)	\$50/hour

The Clerk informed the County Board that approximately 400 protests have been filed to date, with the deadline for filing being 4:30 p.m. on Wednesday, June 30, 1999 or postmarked midnight on June 30th.

MOTION: Steinman moved and Workman seconded approval. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

D. A resolution amending the salaries of Deputy Sheriff Captains to include payment of longevity pay for the 1998-1999 pay year and other benefits. (19991154)

MOTION: Hudkins moved and Steinman seconded approval of Resolution 99-1154. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

E. A resolution adopting benefits for County employees in the Unclassified service. (19991155)

MOTION: Steinman moved and Heier seconded approval of Resolution 99-1155. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

F. A resolution certifying compliance with Federal-Aid Procedures for the "Soft Match" Bridge Replacement Program. (19991225)

MOTION: Steinman moved and Heier seconded approval of Resolution 99-1225. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. A resolution authorizing the installation of the following traffic signs in Lancaster County, Nebraska: (19991226)

- * **A "No Outlet" sign on Southdale Road east of South 60th Street for eastbound traffic in Southdale Acres**
- * **Temporary "Watch for Water Over Road" signs on Raymond Road west of Northwest 12th Street for eastbound traffic and one east of Northwest 12th Street for westbound traffic**
- * **A "Stop Ahead" sign on North 84th Street south of Agnew Road for northbound traffic**

MOTION: Heier moved and Steinman seconded approval of Resolution 99-1226. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. Issuance of a temporary permit to Level 3 Communications, LLC to place a fiber optic cable in the right-of-way of Lancaster County. (19991234)

MOTION: Hudkins moved and Workman seconded approval.

Steinman asked if the company is required to return the property to its prior condition.

Don Thomas, County Engineer, stated yes.

Heier, Workman and Campbell indicated for the record that they own stock in the company.

Workman stated a policy is being developed to accommodate individuals who want rights-of-way through the county.

Kerry Eagan, Chief Administrative Officer, stated the agreement is temporary and it indicates that Level 3 Communications agrees to be bound by the terms of the subsequent Master Telecommunications Ordinance and the Wireless Communication Ordinance.

ROLL CALL: Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

- I. Authorization for the County Attorney, named Trustee, to execute a Deed of Reconveyance of a trust deed, pledged to secure an economic development loan, to Cheryl Velasquez Medley and Dale Medley of Lincoln Auto Auction, which has been paid in full. (19991224)**

MOTION: Hudkins moved and Steinman seconded approval. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

- J. Approval of a reorganization plan in the bankruptcy of Montgomery Ward Holding Corp. (19991231)**

MOTION: Heier moved and Steinman seconded approval.

Campbell noted that the County is involved due to taxes being owed.

ROLL CALL: Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

- K. Recommendation from the Purchasing Agent and the Community Mental Health Center to award a bid to Del-Jen, Inc, in the amount of \$14,875, for soffit, gutter and roof repair at the Adams Street Center. (19991213)**

MOTION: Steinman moved and Hudkins seconded approval. On call Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

- L. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund to Sid Swanson Electric, in the amount of \$12,059.64, for the installation of light fixtures at Lancaster Manor. (19991230)**

MOTION: Steinman moved and Workman seconded approval. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- M. A political subdivision tort claim filed against Lancaster Manor by Emilie Dykmann for lost property, in the amount of \$60. (19991169)**

MOTION: Steinman moved and Heier seconded to accept the Director's recommendation and deny the tort claim filed by Emilie Dykmann. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- N. A political subdivision tort claim filed against the Corrections Department by Curtis L Bush for lost property. (19991232)**

MOTION: Hudkins moved and Steinman seconded to accept the Assessor's recommendation and deny the tort claim filed by Curtis Bush. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

O. Reappointment of Larry Hudkins to the Public Building Commission, term to expire August 1, 2003. (19991217)

MOTION: Heier moved and Workman seconded approval. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of the following public hearings for Tuesday, July 6, 1999 at 1:30 p.m. in the Commissioners Hearing Room located on the first floor of the County-City Building:

1. **County Board of Zoning Appeals, Appeal 108 requested by James Partridge to reduce the sideyard from 60 feet to 20 feet on property located east of Northwest 84th Street, one-half mile north West Waverly Road in Lancaster County, Nebraska. (19991178)**
2. **County Final Plat 99021, Timberline Estates 1st Addition located north and west of the corner of Southwest 56th Street and West Denton Road in Lancaster County, Nebraska. (19991227)**

B. Contracts relating to road improvements with the following:

- * **David D Stollendorf and Norma Jean Banks on North 190th Street near Havelock Avenue. This is a land donation. (19991223)**
- * **Ruth Wunderlich Trustee at South 12th Street and Pella Road, in the amount of \$50 (19991222)**
- * **Richard Janak on Saltillo Road near South 162nd Street, in the amount of \$200 (19991221)**

MOTION: Steinman moved and Heier seconded approval of the Consent Items. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6) **OTHER BUSINESS:**

- A. Diane Staab, Deputy County Attorney, stated that the Planning Department brought her the subdivision agreement in connection with County Final Plat 98042 and that it is ready for the Board's consideration.

MOTION: Steinman moved and Heier seconded approval of the Subdivision Agreement in connection with County Final Plat 98042, requested by Lyle Loth of ESP on behalf of Ronald and Judeen Oelling, for ten residential lots and one outlot for agricultural use, on property located on the northwest corner of Southwest 29th Street and West Roca Road/Nebraska Highway 33 in Lancaster County, Nebraska. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- B. Harlan Layton, 740 Skyway Road, addressed his concerns regarding annexation and urged the City Council and County Board to work together regarding acreages.

7) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk